

NOTE: ANYONE REQUESTING INTERPRETIVE SERVICES FOR THE HEARING IMPAIRED MUST NOTIFY THE TOWN CLERK'S OFFICE AT 253-7000, 72 HOURS IN ADVANCE OF THE MEETING DATE AND ANYONE REQUESTING ASSISTIVE LISTENING DEVICES OR WISHING TO SPEAK ON A MATTER DESIGNATED "CA" (CONSENT AGENDA) ON THE COUNCIL DOCKET MUST NOTIFY THE COUNCIL CLERK PRIOR TO THE COMMENCEMENT OF THE MEETING.

DATE: May 25, 2011

TIME: 7:00 PM

TOWN HALL - COUNCIL CHAMBERS

PRESENT:

MEETING DATES: June 16, 2011 - Town Council Meeting
July 6, 2011 - Town Council Meeting
July 27, 2011 - Town Council Meeting

SPECIAL RECOGNITION

Captain John W. McBride
Induction onto
U.S. Coast Guard Academy
Hall of Heroes' Wall of Gallantry

MOTION RE: CONSENT AGENDA - TO APPROVE THE CONSENT AGENDA

A. SUBMISSION OF MINUTES OF PREVIOUS MEETING(S)

1. Town Council Budget Workshop - March 21, 2011
2. Town Council Budget Workshop - March 22, 2011
3. Town Council Meeting - May 4, 2011

(CA) AA. SUBMISSION OF MINUTES-Boards and Commissions

Approval of consent agenda="Motion to receive and place these items on file."

1. North and East Burial Grounds Commission -
February 28, 2011

2. Fourth of July Committee - March 10, 2011
3. Board of Fire Engineers - May 2, 2011
4. Harbor Commission - May 2, 2011
5. Historic District Commission - April 7, 2011
6. Zoning Board of Review - March 7, 2011
7. Zoning Board of Review - April 4, 2011
8. Bristol Warren Regional School Committee - bi-monthly meeting, January 24, 2011
9. Bristol Warren Regional School Committee - special meeting, January 31, 2011
10. Bristol Warren Regional School Committee - workshop, February 14, 2011
11. Bristol Warren Regional School Committee - bi-monthly meeting, February 28, 2011
12. Bristol Warren Regional School Committee - bi-monthly meeting, March 14, 2011
13. Bristol Warren Regional School Committee - bi-monthly meeting, March 28, 2011
14. Bristol Warren Regional School Committee - bi-monthly meeting, April 11, 2011
15. Bristol Housing Authority - April 14, 2011
16. Harbor Commission - appeals hearing, May 9, 2011
17. Conservation Commission - February 7, 2011
18. Conservation Commission - March 7, 2011
19. Conservation Commission - April 4, 2011

B. OLD BUSINESS

1. Councilwoman Parella re Garfield Avenue (Mary Gaspar), **continued from May 4, 2011**

- a. Karen M. Bradbury, Caseworker, Office of U.S. Senator Sheldon Whitehouse to Mary Gaspar re FEMA response
2. David W. Piccerelli, President and CEO, Rhode Island PBS re proposed closure of the Bristol public access studio, **continued from May 4, 2011**
 - a. David W. Piccerelli re decision to re-evaluate proposed closure and request that a tri-town Service Area 5 PEG Access Users Promotion Committee be established
3. Councilman Teixeira re Town vehicles; usage and markings, **continued from May 4, 2011**

BB. SPECIAL /STATUS REPORTS

C. PUBLIC HEARINGS

1. James L. Toppa, d/b/a Sub Station #1, 271 Wood Street - request for transfer of Class B-V Limited Intoxicating Beverage License to Joseph E. DeFeo, Jr., d/b/a WiseGuys

D. ORDINANCES

1. Ordinance #2011-07, CHAPTER 10, Environment, Article II, Noise, Section, 10-35, Exception from article provisions (decrease dBA level in HPC zone), (as amended) **2nd reading for adoption**
2. Ordinance #2011-08, CHAPTER 16 Motor Vehicles and Traffic, Article V, Stopping, Standing and Parking, Section 16-43, parking prohibited at all times (Reid Street), **1st reading**

(CA) E. BUDGET ADJUSTMENTS

Approval of consent agenda="Motion to approve these adjustments."

(CA) F. APPOINTMENTS

Approval of consent agenda="Motion to approve advertising these Appointments."

1. Public Service Appointments

a. Juvenile Hearing Board

1. Scott J. Brum, 4 Echo Farm Drive - letter of resignation

b. Capital Project Commission (4 regular members) (to serve initial one, two, three, and four-year staggered terms) (1 alternate member) (to serve initial one or two-year term), **continued from March 9, 2011**

1. William Goneau, 11 Smith Street - interest/appointment
2. Susan H. Rabideau, 17 Sandra Drive - interest/appointment
3. Matthew White, 1 Overlook Drive - interest/appointment
4. Eric A. Sponseller, 130 High Street - interest/appointment (see workshop minutes of May 18, 2011)

c. Historic District Commission - Auxiliary Member (to fill vacancy, term to expire in July 2013)

1. Eric A. Sponseller, 130 High Street - interest/appointment
2. Timothy Pray, 724 Hope Street - interest/appointment

G. LICENSING BOARD - NEW PETITIONS

1. James L. Toppa, d/b/a Sub Station #1, 271 Wood Street - request for transfer of Class B-V Limited Intoxicating Beverage License to Joseph E. DeFeo, Jr., d/b/a WiseGuys (see agenda item C1 also)
2. Michael Ferreira, d/b/a Gillary's Tavern, 198 Thames Street - request for a One-Day Sunday

Dancing and Entertainment License on May 29, 2011

- a. Recommendation - Town Administrator and Chief of Police
- 3. Michael Ferreira, d/b/a Gillary's Tavern, 198 Thames Street - request for a One-Day Sunday Dancing and Entertainment License on July 3, 2011
- 4. Nancy Chace, d/b/a Sea Rose Cottage, 21 Constitution Street - request for a Junk and Second Hand Dealer's License, **call for a public hearing on June 16, 2011**
- 5. Uzma Baig and Zaheer Abbas, d/b/a Midland Farms, Inc. 2, 573 Hope Street - request for a Victualling License, **continued from May 4, 2011**
 - a. Town Solicitor Ursillo re legal opinion
- 6. Uzma Baig and Zaheer Abbas, d/b/a Midland Farms, Inc. 2, 573 Hope Street - request for a Holiday Sales License, **continued from May 4, 2011**
 - a. Town Solicitor Ursillo re legal opinion (see agenda item G5a)

H. LICENSING BOARD - RENEWALS

- 1. Sidewalk Use License - renewals for 2011-2012 (license renewal petitions attached)
 - a. Recommendation - Code Compliance Coordinator
 - b. Recommendation - Town Administrator and Chief of Police

(CA) I. UTILITY PETITIONS

Approval of consent agenda="Motion to approve these petitions."

- 1. Public Works Department - Road Cut Permits

J. PETITIONS - OTHER

1. Albert P. Quito, d/b/a Quito's Restaurant, 411 Thames Street - request for consideration re (temporary seasonal) expansion of existing Class B-V Intoxicating Beverage License, adding an outdoor bar with seating and limited menu
2. Michelle Cousineau for First Congregational Church, 281 High Street - request to hold a Crafts Fair, exhibiting crafts along the fence on June 25, 2011
 - a. Recommendation - Town Administrator and Chief of Police
3. James Casalegno, (15 Acacia Road) - request for consideration re the establishment of a tax revaluation advisory committee
4. Kathleen A. Sousa, Land Planning Manager, Cumberland Farms, Inc. re Cumberland Farms, 390 Metacom Avenue - request for consideration to extend hours of operation, opening at 5:00 AM, **call for a public hearing on July 6, 2011**
5. Kara Milner, Chairperson, Bristol Warren Education Foundation - request to address Council re the establishment of a budget task force
6. Anthony B. Morettini, 46 Highland Road, et al - request for the closure of Ledge Road (between Gibson and Forest Roads) for Bristol Highlands Improvement Association Centennial Celebration on July 2, 2011
7. Nancy E. Dobie, Rhode Island Ocean Tides Senior Games - request opportunity to address Council re 4th annual event
8. George Gatos, d/b/a Bristol House of Pizza, 55 State Street - request for consideration re upgrade of existing Class B-V Limited Intoxicating Beverage License to a full Class B-V license and expansion of restaurant to include premises next door

K. OTHER NEW BUSINESS REQUIRING TOWN COUNCIL ACTION

1. Stephen Brigidi, Bristol Representative, Newport and Bristol County Convention and Visitors' Bureau re report of activities, May 5, 2011
2. Kara Milner, BWEF (Bristol Warren Education Foundation) Board Chairperson re thank you for support of Bodacious Bee and invitation to announcement of grant awards on June 15, 2011
3. Councilman Barboza re commemoration of the tenth anniversary of the September 11 attacks
4. (Draft) Resolution - Bristol Fourth of July Celebration 2011
5. Director of Community Development Williamson and Principal Planner Tanner - request for executive session pursuant to RIGL §42-46-5 (a) (5) open space acquisitions
6. Melinda L. Thies, Superintendent, Bristol Warren Regional School District - request for advice re the placement of a modular classroom at Guiteras School
7. Director of Community Development Williamson re proposal to form East Bay HOME Consortium
 - a. (Draft) Resolution in support of forming the East Bay HOME Consortium and authorizing Town Administrator Mederos to enter into a Cooperative Agreement
 - b. Mutual Cooperation Agreement of the East Bay HOME Consortium
8. Principal Planner Tanner re Stormwater Phase II, Year 6 (2009) Annual Report, **1st reading and call for a public hearing on June 15, 2011**
9. Principal Planner Tanner re Stormwater Phase II, Year 7 (2010) Annual Report, **1st reading and call for a public hearing on June 15, 2011**

10. Town Solicitor Ursillo re request by Bristol Marine Holdings, LLC to transfer tax stabilization agreement from Goetz Custom Boats, 115 Broadcommon Road to Bristol Marine Holdings, LLC

L. BILLS & EXPENDITURES

1. Bid #732 - Collection of Residential Curbside Trash

(CA) M. ROUTINE REPORTS

(CA) N. FINANCIAL REPORTS

Approval of consent agenda="Motion to receive and place this item on file."

1. (Town Treasurer Goucher) re Revenue and Expenditure Statement, May 19, 2011

P. PROCLAMATIONS & CITATIONS

1. Commendation - Mt. Hope High School DECA Students, placing at 2011 Rhode Island DECA Career Development Conference
2. Commendation - Kickemuit Middle School Girls Soccer Team, 2010 Middle School State Championship
3. Commendation - Douglas Hendrix, Eagle Scout Court of Honor
4. Commendation - Mt. Hope High School JV Cheerleading, 2010-2011 Winter Competition Cheerleading Championship

(CA) Q. CITY & TOWN RESOLUTIONS NOT PREVIOUSLY CONSIDERED
(to be received and filed by Council)

Approval of consent agenda="Motion to receive and place these items on file."

1. Anthony Mega, Vice Chairperson, South Kingstown School Committee - resolution proposing amendments to funding formula

2. Anthony Mega, Vice Chairperson, South Kingstown School Committee - resolution in support of House Bill 5297 and Senate Bill 0071, extending lay-off notice deadline for teachers to June 1, and opposition to House Bill 5639 and Senate Bill 0403, requiring the recall of teachers be based on seniority (legislation attached)
3. Jeffrey J. Mutter, Chairperson, Cumberland School Committee - resolution in support of Senate Bill 0071, extending lay-off notice deadline for teachers to June 1 (see agenda item Q2 also)

(CA) R. DISTRIBUTIONS/COMMUNICATIONS (to be received and filed by Council)

Approval of consent agenda="Motion to receive and place these items on file."

1. Class F license granted to St. Elizabeth Church/Holy Trinity Committee, 577 Wood Street for event to be held on June 17, 18 & 19, 2011
2. Janet Coit, Director, Rhode Island Department of Environmental Management re notification to property owners subject to Rhode Island Cesspool Act 2007
3. Coastal Resources Management Council - semi-monthly meeting agenda, May 4, 2011
4. Robert LaFleur, North Smithfield School Committee - resolution in opposition to mandatory binding arbitration for teachers
5. Class F license granted to First Congregational Church, 281 High Street for event to be held on June 4, 2011
6. A. Lawton Langford, President and CEO, Municipal Code Corporation to Council Clerk Cirillo re internet subscription cost increase
7. Town Clerk Cirillo to Nancy L. Pace, National Customer Service Manager, Passport Services re new regulations preventing Clerk's Office

from continuing as a Passport Acceptance Facility

8. Lisa A. Mattscheck, Office Manager, Coastal Resources Management Council re meeting notice, May 10, 2011 - review of the Town's application to construct and maintain new transient vessel floats at Rockwell Marina
9. Cumberland School Committee - resolution in opposition to proposed legislation providing mandatory binding arbitration for teachers
10. Resolution authorizing Town Administrator Mederos to file CDBG-DR application (signed copy)
11. Class F license granted to Roger Williams University/Sailing Team, 1 Old Ferry Road, Global Heritage Hall for event to be held on May 14, 2011
12. Michael A. Solomon, President, Providence City Council re House Bill 5785, requiring non-profits to pay 25% of assessed property tax
13. Council Clerk Cirillo to Sen. David E. Bates, et al re agreement with Burrillville resolutions to support amendments to RIGL §44-5-2 Maximum Levy and to oppose Senate Bill 0052, relating to audit of accounts and installation of systems
14. Council Clerk Cirillo to Sen. David E. Bates, et al re support of amendments to RIGL §17-18-11, changing the statewide poll closing time to 8:00 PM
15. Resolution in support of House Bill 5088 to amend RIGL §17-18-11, changing the statewide poll closing time to 8:00 PM (signed copy)
16. Council Clerk Cirillo to Keith W. Stokes, Executive Director, Rhode Island Economic Development Corporation re Town of Bristol Marine Inland Transport Route report
17. Council Clerk Cirillo to J. David Smith, Executive Director, Rhode Island Emergency

Management Agency re Town of Bristol Marine
Inland Transport Route report

18. Council Clerk Cirillo to Denise Asciola re
thank you for service on the Police Pension
Fund Board of Trustees
19. Maureen Cotter, Chairperson, South Kingstown
School Committee - resolution in opposition
to mandatory binding arbitration for teachers
20. Council Clerk Cirillo to Director of Public
Works re designation of handicap parking
space, 129 Bradford Street
21. Warrant - Gerald Mederos, Alternate Member of
the Board of Tax Assessment Review
22. Coastal Resources Management Council - semi-
monthly meeting, May 24, 2011
23. North Smithfield School Committee -
resolution in opposition to mandatory binding
arbitration for teachers
24. Warrant - Frederico Pacheco, Police Pension
Fund - Board of Trustees

(CA) RR. DISTRIBUTIONS/NOTICE OF MEETINGS
(office copy only)

**Approval of consent agenda="Motion to receive and place
these items on file."**

1. East Bay Energy Consortium - May 2, 2011
2. Harbor Commission - May 2, 2011
3. North and East Burial Grounds Commission -
June 27, 2011
4. Bristol Warren Regional School Committee -
workshop, May 9, 2011
5. Bristol Warren Regional School Committee -
BWEA Contract Negotiation Subcommittee,
executive sessions, May 19 & 25, 2011
6. Bristol Warren Regional School District -
schedule of meetings, week of May 9, 2011

7. Bristol Warren Regional School Committee - Budget/Facilities Subcommittee, May 9, 2011
8. Recreation Board - May 10, 2011
9. Harbor Commission - appeals hearing, May 9, 2011
10. Animal Shelter Capital Project Committee - May 12, 2011
11. Bristol Warren Regional School District - schedule of meetings, week of May 16, 2011
12. Bristol Warren Regional School Committee - Budget/Facilities Subcommittee, May 16, 2011
13. Conservation Commission - May 16, 2011
14. Bristol County Water Authority - Public Relations/Personnel Committee, May 18, 2011
15. Bristol County Water Authority - Audit Finance Committee, May 18, 2011
16. Bristol County Water Authority - Engineering Committee, May 18, 2011
17. Bristol County Water Authority - annual meeting, May 26, 2011
18. Bristol County Water Authority - Board of Directors, May 26, 2011
19. Bristol Warren Regional School Committee - Policy/Community Affairs Subcommittee, May 20, 2011
20. Bristol Warren Regional School District - schedule of meetings, week of May 23, 2011
21. Bristol Warren Regional School Committee - May 23, 2011
22. Bristol Warren Regional School Committee - Personnel/Contract Negotiation Subcommittee, May 23, 2011

S. TOWN SOLICITOR

Z. INDIVIDUAL COUNCIL MEMBERS AGENDA ITEMS

1. MARSHALL
2. BARBOZA
3. TEIXEIRA
4. HERRESHOFF
5. PARELLA

ZZ. TOWN ADMINISTRATOR AGENDA ITEM(S)

CITIZENS PUBLIC FORUM

ADJOURNED: _____

:jmw